Remarks/Arguments

A.   Claims in the Case

Claims 1-7, 9-11, 13-19, 21-30, 32-34, 36-42, 44-57, 59-61, 63-69, 71-73, and 147-152 are pending.   No claims have been amended.

B.   The Claims Are Not Obvious Over Kurz in view of Jung Under 35 U.S.C. §103(a)

The Examiner rejected claims 1-7, 9-11, 13-19, 21-30, 32-34, 36-42, 44-57, 59-61, 63-69, 71-73 and 147-152 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,386,571 to Kurz ("Kurz") in view of U.S. Patent Publication No. 2003/0014421 by Jung ("Jung"). Applicant respectfully disagrees with these rejections.

To reject a claim as obvious, the Examiner has the burden of establishing a *prima facie* case of obviousness. *In re Warner*, 154 U.S.P.Q. 173, 177-78 (C.C.P.A. 1967). To establish *prima facie* obviousness of a claimed invention, all claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974).

Claims 1, 24, and 51 describe combinations of features including, but not limited to:

> creating a highest level processing relationship object in a processing relationship structure, wherein the highest level processing relationship object represents an FSO;
> creating a plurality of lower level processing relationship objects in the processing relationship structure, wherein the plurality of lower level processing relationship objects in the processing relationship structure are descendents of the highest level processing relationship object, wherein one or more of the lower level processing relationship objects represents a bank

2

branch office, a regional bank, a credit card issuer, or an acquirer

The combination of Kurz and Jung does not appear to teach or suggest at least the above-quoted features of claims 1, 24, and 51, in combination with the other features of the claims.

. Applicant's claims are directed to a method that includes creating a model of a financial service organization (FSO) including a plurality of processing relationship software objects. Creating the model of the FSO includes preparing a processing relationship definition for at least two of selected processing relationship object representations. A highest processing relationship object represents the FSO. One or more lower level processing relationship object representations represent a bank branch office, a regional bank, a credit card issuer, or an acquirer.

> Applicant's specification states:
> As used herein, a Financial Service Organization (FSO) is a business organization that provides <u>financial services</u> to customers and client organizations. As used herein, the term customer generally refers to an individual, and client organization generally refers to other businesses, including retail businesses and other FSOs. Services provided to customers and client organizations include credit products, such as loans and credit cards. An FSO may also provide services to client organizations such as credit card transaction processing. Examples of FSOs include, but are not limited to, banks, credit unions, insurance companies, mutual fund companies, credit card companies and brokerage houses.
> (Specification, page 8, line 22 to page 9, line 1) (emphasis added).

With respect to the above-quoted features of claims 1, 24, and 51, the Examiner apparently relies on col. 6, lines 13-64, column 11, lines 9-20, and Fig. 2C of Kurz. Kurz states:

> 1. The kernel entity set which in this case is "document" is the hierarchical top of the structure shown in FIG. 2C and is therefore positioned on top of the diagram, in this case in the upper left corner.

> 2. The role entity sets are placed below this higher order kernel entity set "document" and are offset to the right by a predefined distance. In the case of the role entity sets "contract" and "description" the role entity sets are offset with

respect to the kernel entity set whereas role entity sets which are subsets of other role entity sets are offset with respect to the role entity sets of which they are a subset. This is the case for the role entity sets "lease contract" and "sales contract" which are subsets of "contract". It is to be noted that the entity sets shown in FIG. 2C are arranged in an array of rows k and columns j. The kernel entity set "document" is placed in the upper left position k, j of this array. The role entity sets "contract" and "description" which are one hierarchical order below the kernel entity set "document" are placed in the next column j+1. The same applies analogously for the further role entity sets even one hierarchical order below the role entity sets "contract" and "description,. These are placed in the column j+2. (Kurz, column 6, lines 27-53)

Kurz further states:

It is to be noted that the entity relationship diagram of the invention may be transformed to an optimized database--such as a relational database. This transformation may be carried out by known methods. The resulting database may serve as a repository which is adapted to store instances of the entity sets of the diagram. Since the entity relationship diagram is redundancy free, the same applies as a consequence to the resulting data base. This also results in optimal access paths and a minimized access time to the instances stored in that database. (Kurz, column 11, lines 9-21)

Kurz discloses a kernel entity set having "document" at the hierarchical top of the structure. The role entity sets "contract" and "description" are placed below the higher order entity set "document". (Kurz, column 6, lines 14-65; FIG. 2C). Kurz also discloses that an entity relationship diagram can be transformed into an optimized database such as a relational database. (Kurz, column 11, lines 9-21). The Examiner acknowledges that Kurz does not expressly disclose a Financial Service Organization (FSO). The Examiner appears to rely on Jung to remedy the deficiencies in Kurz. The Examiner states:

col .6 lines 13-64 and col. 11, lines 9-20 and fig. 2C- shows a financial service organization involving sales where each of the boxes is a relationship with the dotted lines representing different levels. The other types of entities besides the business unit are optionally recited and thus carry no patentable weight. Kurz did not expressly disclose a FSO. Jung in fig.s's 34A and 34B shows relationship objects in a hierarchy in a business relationship (FSO).

The Examiner refers to parenthetically after the phrase "relationship objects in a hierarchy in a business relationship". It is not clear from the Examiner's statement what aspect of Jung the Examiner considers to teach or suggest a financial service organization. Figs. 34A and 34B of Jung discloses a hierarchical tree structure mapped to a hypergraph representation. The graph shows parent/child relationships between persons/offices within an organization (for example, between CEO and VP Sales). Jung does not appear to disclose an object representing a financial services organization (FSO). In any event, Jung, alone or in combination with Kurz, does not appear to teach or suggest creating a highest level processing relationship object in a processing structure, the highest level object representing a Financial Service Organization (FSO), or creating a plurality of lower level processing relationship objects in the processing relationship structure, wherein the plurality of lower level processing relationship objects in the processing relationship structure are descendents of the highest level processing relationship object, wherein one or more of the lower level processing relationship objects represents a bank branch office, a regional bank, a credit card issuer, or an acquirer.

In the Examiner's rejection of claims 1, 35, and 51, the Examiner states:

The other types of entities besides the business unit are optionally recited and thus carry no patentable weight.

Based on the Examiner's statement quoted above, Applicant believes that the Examiner is basing the rejection of claims 1, 24, and 51 on the language of Applicant's claims before Applicant's amendment of March 26, 2007. In particular, claims 1, 24, and 51 previously recited "lower level processing relationship objects represents a company of the FSO, a business unit of the FSO, a bank branch office, a regional bank, a credit card issuer, or an acquirer." (See Amendment; Response to Office Action Mailed October 24, 2006). After the amendment of March 26, 2007, however, claim 1 recites: "lower level processing relationship objects representing a bank branch office, a regional bank, a credit card issuer, or an acquirer." (Emphasis added). Thus, "business unit" is no longer recited as a lower level processing

relationship object. Kurz and Jung, singly or in combination, do not appear to teach or suggest "a lower level processing relationship object representing a bank branch office, a regional bank, a credit card issuer, or an acquirer" as recited in claims 1, 24, and 51.

Applicant submits that, for at least the reasons discussed above, claims 1, 24, and 51, and the claims depending thereon, are patentable over the cited art. Applicant therefore respectfully requests removal of the 35 U.S.C. §103(a) rejections of these claims.

Applicant submits that many of claims dependent on claims 1, 24, and 51 are independently patentable. For example, amended claim 4 recites: "wherein the processing relationship value is configured for use in identifying an FSO business entity as an owner of the FSO transaction-related data, wherein the FSO business entity is a bank branch office or a regional bank or a credit card line or an issuer or an acquirer".

The Examiner states:

> As per claims 4, 27, 54, 147, and 150, Kurz discloses, wherein the processing relationship value is configured for use in identifying an FSO business entity as an owner of the FSO transaction-related data, wherein the FSO business entity is a bank branch office or a regional bank or a credit card line or an issuer or an acquirer. In Fig. 4E of Kurz shows a business entity as <u>a company and a business unit</u> (see col. 7, line 53 - col. 8, line 27) (emphasis added)

Applicant believes that the Examiner is basing the rejection of the claim 4 on the language of Applicant's claims <u>before</u> Applicant's amendment of March 26, 2007. In particular, claim 4 previously recited "wherein the FSO business entity is <u>a company or a business unit </u>or a bank branch office or a regional bank or a credit card line or issuer or an acquirer." (See Amendment; Response to Office Action Mailed October 24, 2006) (emphasis added). After the amendment of March 26, 2007, however, claim 1 recites: "wherein the FSO business entity is <u>a bank branch office or a regional bank or a credit card line or an issuer or an acquirer</u>." (*emphasis added*).

Kurz and Jung, singly or in combination, do not appear to teach or suggest wherein the processing relationship value is configured for use in identifying an FSO business entity as an owner of the financial service organization transaction-related data, wherein the FSO business entity is a bank branch office or a regional bank or a credit card line or an issuer or an acquirer.

Concerning claim 147 and 150, the Examiner states:

As per claims 4, 27, 54, 147, and 150, Kurz discloses, wherein the processing relationship value is configured for use in identifying an FSO business entity as an owner of the FSO transaction-related data, wherein the FSO business entity is a bank branch office or a regional bank or a credit card line or an issuer or an acquirer. In Fig. 4E of Kurz shows a business entity as a company and a business unit (see col. 7, line 53 - col. 8, line 27)

Applicant notes that claims 147 and 150 include different features than claim 4. For example, claim 147 recites: "wherein the plurality of lower level processing relationship objects comprises a credit card issuer object representing a credit card issuer and an acquirer object representing an acquirer, and wherein each of the credit card issuer object and the acquirer object has one or more descendent processing relationship objects." Claim 150 recites: "wherein at least one of the one or more descendent processing relationship objects represents a bank branch." Neither Kurz nor the other cited art appears to teach or suggest these features in combination with the other features of claims.

Claim 11 recites: "wherein the displaying one or more processing relationship object representations on a display screen comprises displaying values associated with a sequence number for at least one of the plurality of lower level processing relationship objects and a level number for the at least one lower level processing relationship object, wherein the level number identifies a level in the processing relationship structure." The cited art does not appear to teach or suggest this feature in combination with the other features of claim 11.

7

The Examiner states:

As per claims 11, 34, 61, 148, 151, Kurz discloses, wherein the displaying one or more processing relationship object representations on a display screen comprises displaying values associated with a sequence number and a level number. (Fig. 5 – shows displayed values in a sequence number for the lower level processing objects and the name identifies level number in the processing relationship structure).

Applicant respectfully disagrees that Fig. 5 of Kurz discloses the above-quoted features of claim 11. Regarding Fig. 5, Kurz states:

In FIG. 5 a more complex example of an entity relationship diagram according to the invention is shown. The entity relationship diagram is displayed on a display 9 of a computer system. It comprises the kernel entity sets K_0, K_1 and K_2, the relation entity sets R_{00}, R_{01}, R_{02} and R_{12} as well as the attributive entity sets A_{00} and A_{01} and the role entity sets P_{00} and P_{01}. The kernel entity sets are displayed along a horizontal line 7 which is indicated by the dashed line. The horizontal line 7 partitions the display into a first and a second section. The first section is the relation section where the relation entity sets are displayed and the second section is the kernel section where the kernel entity sets, and optionally the attributive entity sets and the role entity sets are displayed. For simplicity the attributive entity sets and role entity sets of the kernel entity sets K_1 and K_2 of FIG. 5 are not shown in the diagram. In this example the symbols representing the different entity sets are arranged in an array of allowable positions on the display 9. This array of allowable positions is indicated by the grid of lines shown in FIG. 5. The point 8 defines the origin of a coordinate system x, y of this array.
(Kurz, column 8, lines 4-27)

Fig. 5 of Kurz discloses an entity relationship diagram that makes reference to various kernel entity sets designated K_0, K_1 and K_2, relation entity sets designated R_{00}, R_{01}, R_{02} and R_{12} attributive entity sets designated A_{00} and A_{01} and the role entity sets designated P_{00} and P_0. Kurz does not teach or suggest displaying one or more processing relationship object representations on a display screen comprises displaying values associated with a sequence number for at least one of the plurality of lower level processing relationship objects or a <u>level number</u> for the at

8

least one lower level processing relationship object, wherein the <u>level number identifies a level in</u> <u>the processing relationship structure</u>.

Regarding claim 151, the Examiner states:

> As per claims 11, 34, 61, 148, 151, Kurz discloses, wherein the displaying one or more processing relationship object representations on a display screen comprises displaying values associated with a sequence number and a level number. (Fig. 5 – shows displayed values in a sequence number for the lower level processing objects and the name identifies level number in the processing relationship structure).

Applicant notes that claim 151 includes different features than claim 11. For example, claim 151 recites: "wherein displaying the at least two processing relationship object representations comprises displaying a row for each of at least two processing relationship objects, wherein each of the rows comprises an object identifier and a level number, wherein the descendants of each object appear directly below that object." Neither Kurz nor the other cited art appears to teach or suggest these features in combination with the other features of the claim.

Claim 149 recites: "wherein at least one of the one or more descendent processing relationship objects represents a credit card issuer or an acquirer." The cited art does not appear to teach or suggest this feature in combination with the other features of claim 149. Regarding claim 149, the Examiner states:

> As per claims 5, 28, 55, and 149, Kurz discloses, wherein the selecting one or more processing relationship object representations is performed by a user of the FSO computer system (col. 5, line 65-col.6, line 25-suggests that a user had to perform the selection of the relationship objects). This reads on claim limitation 5.

The Examiner's rejection of claim 149 does not appear to refer to the above-quoted feature of claim 149. Applicant submits the portions of Kurz cited by the Examiner do not appear to teach
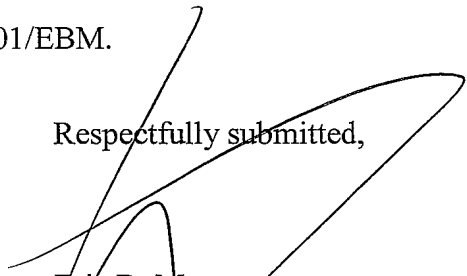
or suggest one or more descendent processing relationship objects representing a credit card issuer or an acquirer, in combination with the other features of claim 149.

C.   **Additional Remarks**

Based on the above, Applicant submits that the claims are now in condition for allowance. Favorable reconsideration is respectfully solicited.

If any extension of time is required, Applicant hereby requests the appropriate extension of time. If any fees are omitted or if any fees are required or have been overpaid, please appropriately charge or credit those fees to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account Number 50-1505/5053-30801/EBM.

Respectfully submitted,

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